



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

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Ref: 8EPR-N

Bureau of Land Management  
Salt Lake Field Office  
Attention: Mike Nelson  
2370 South 2300 West  
Salt Lake City, UT 84119

Bureau of Land Management  
Fillmore Field Office  
Attention: Clara Stevens  
35 East 500 North  
Fillmore, Utah 84631

Re: Comments on the Mona to Oquirrh  
Transmission Corridor Project Draft  
Environmental Impact Statement  
CEQ # 20090152

Dear Mr. Nelson and Ms. Stevens:

The U.S. Environmental Protection Agency (EPA) Region 8 has reviewed the Bureau of Land Management's (BLM) Draft Environmental Impact Statement (DEIS) for the Mona to Oquirrh Transmission Corridor Project and Draft Pony Express Resource Management Plan Amendment. Our comments are provided for your consideration pursuant to our responsibilities and authority under Section 102(2)(C) of the National Environmental Policy Act (NEPA), 42 U.S.C. Section 4332(2)(C), and Section 309 of the Clean Air Act, 42 U.S.C. Section 7609. It is EPA's responsibility to provide an independent review and evaluation of the potential environmental impacts of this project, which includes a rating of the environmental impact of the proposed action and the adequacy of the NEPA document.

In accordance with our policies and procedures for reviews under NEPA and Section 309 of the Clean Air Act, EPA has rated this DEIS as "Environmental Concerns - Insufficient Information" (EC-2). Our environmental concerns are due to anticipated wetland impacts and the potential for disturbing hazardous waste sites. Additional information regarding wetland impacts, selection of the preferred alternative, and air quality impacts to designated nonattainment areas is needed to ensure that environmental effects are properly evaluated in accordance with NEPA. A copy of EPA's rating criteria is attached.

## PROJECT BACKGROUND

Rocky Mountain Power (a division of PacifiCorp) proposes to construct, operate, maintain, and decommission a double-circuit 500/345 kilovolt (kV) transmission line in northern Utah. The project includes approximately 141 miles of new transmission (in the preferred alternative) and two new substations. Development will occur in Juab, Toole, West Jordan, and Salt Lake Counties. Included in the project is a BLM Salt Lake Field Office Pony Express Resource Management Plan Amendment for a utility corridor wide enough to accommodate a second future double-circuit 500 kV line when needed. BLM evaluated a total of 14 transmission corridor alternatives, with the corridor divided into three sections, as well as a single location for each proposed substation. A no action alternative, corresponding to no increase in transmission capability, was evaluated as well. A preferred alternative was identified by BLM for each of the three proposed sections, which in two of the three was different from the Rocky Mountain Power proposed alternative.

## EPA CONCERNS

EPA has reviewed the DEIS and has four primary concerns which are highlighted in this letter: wetland impacts, range of alternatives, impacts to air quality, and hazardous waste sites. Additional information pertaining to our review of the project is found in the enclosed Detailed Comments.

### Wetland Impacts

The proposed transmission corridor from the Limber Substation to the Salt Lake City Terminal Substation travels along the southern edge of the Great Salt Lake. The DEIS identifies 11.5 miles of high impact associated with wetland communities for Preferred Alternative H in this area. EPA understands that this impact quantification is based on a 2-mile-wide study corridor (1 mile on either side of the assumed centerline) and that wetland impacts may be overestimated due to the complexity of wetland-upland habitat in the area. We are concerned that the format of using miles of potential impact in the DEIS does not provide enough information to assess the impacts to wetland resources along the alternative corridors analyzed. To more definitively determine the actual scale of potential wetland loss, a better assessment of wetland occurrence in the proposed transmission corridor is needed.

In addition to improved information on wetland scale, EPA believes the nature of wetlands in the proposed corridor should be characterized more completely. We recommend that the document include a more detailed analysis of potential wetland impacts, possibly by analyzing the wetlands as a separate resource rather than including the wetlands analysis under the broad category of biological resources. A comprehensive analysis of impacts should also provide information on wetland functions and values using functional assessment models recommended by the State of Utah Department of Environmental Quality, such as the Utah Wetland Ambient Assessment Method. In conjunction with a functional analysis, we also recommend that the applicant provide an estimate of acres impacted. The acreage estimate should include typical footprint areas for the various transmission towers described in the DEIS as well as anticipated new access roads or spurs or improvement to existing roads.



A comprehensive assessment of wetland impacts will enable a more detailed discussion of wetland mitigation measures. While we are pleased to see the list of seven selective mitigation measures that can be implemented when wetlands cannot be avoided, we believe a stronger commitment is needed in the EIS. Mitigation measures that include helicopter placement of towers and avoidance of sensitive features through access road placement will have a significant effect on the extent of wetland impacts. Potential utilization of structures already in place within the 138 kV transmission line corridor along the southern edge of Great Salt Lake will also alter ultimate impacts to wetlands from the proposed new transmission. A description of where and how the identified selective mitigation measures, or other anticipated location-specific measures, will be used is a necessary piece of a complete wetland impact assessment for a project of this type.

The DEIS indicates that a permit for discharge of dredged or fill material into a watercourse will be sought from the U.S. Army Corps of Engineers. The guidelines of the Clean Water Act require that a permit applicant demonstrate that the least environmentally damaging practicable alternative (LEDPA) be selected. Only after providing the additional analyses and information described above can the BLM make an informed decision on the LEDPA in regard to wetlands.

#### Range of Alternatives

EPA is concerned that BLM's Preferred Alternative may impact more wetlands than other reasonably available alternatives and we recommend additional information be included in the Final EIS. As stated in the DEIS, BLM's primary objective in selecting a Preferred Alternative is to select an environmentally preferable route. However, the document does not contain explicit justification for the selection of Alternative I. Preference rankings for various impact criteria are provided in Table 2-9: Alternative Route Comparison, but a discussion of the relative significance of the criteria and their use in Preferred Alternative selection is not included.

Based upon information presented in the DEIS, Alternative I appears to better meet BLM's stated objective of selecting the environmentally preferable alternative and should be selected over Alternative H as the Preferred Alternative for the Limber to Terminal section. Alternative I is better or equal to H for all criteria with the exception of cultural resources, visual resources, and land use according to preference rankings provided in Table 2-9; Alternative I is ranked as first preference for Wildlife and Vegetation (which includes wetlands), critical environmental resources. We also note that link 374/375 is generally preferred over link 385 for land use issues, as well as having less impact on wetlands. A modified alternative that matches Alternative I from Limber through link 370, then switches to the Alternative H corridor to Terminal, is likely to be the environmentally preferable alternative. Regardless of which route is selected, EPA recommends justification for the selection be provided in a more accessible format. The more detailed wetlands discussion requested in the above section will improve clarity of the justification.

#### Air Quality

EPA is also concerned about the project's potential to impact air quality during construction. We believe that the construction of the proposed project could result in particulate

matter (PM10) emissions of concern for Salt Lake and Utah Counties, both identified as nonattainment with EPA's National Ambient Air Quality Standards (NAAQS) for PM10. The DEIS should include a quantification of emissions and determination of potential air quality impacts of the project. Our specific recommendations for avoiding potential air quality impacts are provided in the enclosed Detailed Comments.

#### Hazardous Waste Sites

In addition, EPA is concerned that the proposed transmission line will cross the International Smelting and Refining Superfund site, where construction has the potential to disturb remedial structures. Where work will occur on Superfund sites that are listed on the National Priorities List, such as the International Smelting and Refining site, the proponent must seek prior approval from EPA. Additional information should be included in the DEIS to ensure that the proposed action will comply with all specific site restrictions and prohibitions as well as laws and regulations for superfund sites. Our specific recommendations for avoiding potential impacts related to the Superfund site are provided in the enclosed Detailed Comments.

Thank you for the opportunity to comment on this DEIS. We hope that our request for a more detailed wetland assessment and suggestion for improved explanation of the selection process for the Preferred Alternative and will be of value to BLM in preparing the Final EIS. We also look forward to more complete disclosure of potential impacts to air quality and capped waste sites. If you have any questions on the comments provided in this letter, please contact me at 303-312-6004, or you may contact Molly Brodin of my staff at 303-312-6577.

Sincerely,



Larry Svoboda  
Director, NEPA Program  
Office of Ecosystems Protection and Remediation

Enclosures: Detailed Comments  
EPA's Rating System Criteria

cc: Brent Truskowski, EPA (e-mail)  
Erna Waterman, EPA (e-mail)  
Kenneth Distler, EPA (e-mail)  
Lorraine Ross, EPA (e-mail)





## **EPA'S DETAILED COMMENTS FOR THE MONA TO OQUIRRH TRANSMISSION CORRIDOR PROJECT DEIS**

### Air Quality

Air Quality was discussed in the DEIS in general terms. Existing air quality and potential for emissions during construction in the project area were cursorily compared with present nonattainment status, for various pollutants, in three surrounding counties. No attempt was made to quantify emissions or determine air quality impacts from the project. EPA believes that the construction of approximately 140 miles of transmission line, 128 miles of access roads, and two substations could result in PM10 emissions of concern for Salt Lake and Utah Counties, both identified as nonattainment with National Ambient Air Quality Standards (NAAQS) for PM10. We suggest the following four steps be taken in preparation of the Final EIS to ensure that unforeseen PM10 emissions do not deteriorate air quality:

- 1) A summary of existing ambient air conditions from monitoring sites located nearby should be included in the EIS to complete section 3.2.1.2. Affected Environment, Air Quality. Existing data can be obtained by contacting the Utah Department of Environmental Quality, Division of Air Quality, or found at the following four web locations:

<http://www.epa.gov/air/data/index.html>

<http://www.epa.gov/ttn/airs/aqsdatamart/>

<http://www2.nature.nps.gov/air/monitoring/ads/adsreport.cfm>

<http://vista.cira.colostate.edu/views/>

- 2) The DEIS described the emissions from the project in very general terms; specific detail, such as emission rates that may affect air quality, were not included in the document. There was also no discussion of type and volume of support vehicular traffic, nonroad construction equipment, or fugitive PM10 emissions. For full disclosure, EPA anticipates a specific accounting of all air emissions for the project in the EIS. Because this project is primarily construction related, particular attention should be placed on PM10 emissions, including fugitive emissions, and associated control strategies.

- 3) The Draft EIS does not address General Conformity requirements pursuant to the Clean Air Act (CAA). While not required by NEPA to be included in the EIS, the CAA requires that the BLM conduct a general conformity analysis for any project emissions occurring in an area designated as nonattainment or maintenance for the NAAQS before finalizing an approval of this project. The CAA states that in such areas, a determination must be made that the emissions (either direct or indirect) from a federal action will not exceed a *de minimis* threshold level measured in tons per year for the criteria pollutant of concern. If the action exceeds the *de minimis* level, then a conformity determination is required to document how the federal action will affect implementation of the State Implementation Plan (SIP) to reach attainment.

4) Projects conducted in the Utah nonattainment and maintenance areas for PM10 must meet the requirements stipulated in Utah Administrative Code (UAC) 307-309 Nonattainment and Maintenance Areas for PM10: Fugitive Emissions and Fugitive Dust. UAC 307-309 has opacity limits for fugitive emissions including stationary and mobile sources as well as monitoring provisions to ensure activities do not adversely impact air quality. UAC 307-309 also has provisions for a fugitive Dust Control Plan that should be submitted to the State of Utah 30 days after the source becomes subject to R307-309. The project Dust Control Plan provisions should be summarized in the EIS.

#### Hazardous Waste Sites

The Preferred Alternative will cross 1.4 miles of the International Smelting and Refining Superfund Site. While this site has been identified in the DEIS as being known as the “Carr Fork Reclamation and Wildlife Management Area,” it is correctly specified as the “Pine Canyon Conservation Area” under Superfund. The site contains areas of capped waste, and there are restrictions that prevent digging into these areas. It is critical that the proposed action comply with all laws and regulations regarding superfund sites, as well as any specific use restrictions and prohibitions on land within the Pine Canyon Conservation Area. Importantly, where work will occur on Superfund sites listed on the National Priorities List, such as the International Smelting and Refining Superfund Site, the proponent must seek prior approval from EPA. The EPA contact for this site is Erna Waterman; she can be reached at 303-312-6762.

We suggest, at a minimum, that the following language be added to the EIS to adequately document commitment to avoiding impacts to the superfund site:

- 1) Add the following two lines to Table 1-2 Major Federal Authorizing Laws, Regulations, and Guidelines:

Law and Regulation	Reference
Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)	42 U.S.C. §§ 9601 – 9675
Resource Conservation and Recovery Act (RCRA)	42 U.S.C. §§ 6901 – 6992k

- 2) Add the following line to Table 1-3 Summary of Potential Major Federal, State, and Local Permits or Licenses Required and Other Environmental Review Requirements for Transmission Line Construction and Operation:



Issue	Action Requiring Permit, Approval, or Review	Agency	Permit, License, Compliance, or Review	Relevant Laws and Regulations
Ground disturbance and water quality degradation	Construction across a Superfund site	EPA	Agreement or order on consent with EPA	CERCLA (42 U.S.C. §§ 9601-9675)

3) Add the following language to Table 2-5 Typical Best Management Practices:

“Where work will occur on Superfund sites listed on the NPL, proponent must seek prior approval from EPA. Work on contaminated sites must avoid remedial structures (capped areas, treatment or monitoring wells, etc.) and workers must use adequate worker protection measures for working in contaminated areas.”

4) Add the following italicized language to Table 2-6 Selective Mitigation Measures, #7:

First box: Structures and access roads will be placed so as to avoid sensitive features including, but not limited to, wetlands, riparian areas, water courses, *hazardous substance remediation* and cultural sites. Avoidance measures may include selective tower placement, spanning sensitive features, or realigning access routes. Within the limits of standard tower design, structures will be located as to allow conductors to clearly span identified sensitive features.

Last box: Flexibility in the placement of towers allows for sensitive features to be avoided. Realigning the towers along a route or realigning the route can result in avoiding or minimizing direct impacts on resources such as cultural and biological resources, and land uses such as agriculture, parks, preservation, *hazardous substance remediation* and recreation areas.

5) Add the following italicized language to the bullet on Page 3-81 under “Special Management Areas:”

Carr Fork Reclamation and Wildlife Management Area – The WMA is approximately 3,599 acres and is located on the west side of the Oquirrh Mountains in Tooele County, just northeast of Tooele City. The Atlantic Richfield Company donated a conservation easement for the property to the UDWR. The UDWR manages the property for the benefit of wildlife. The property is also the site of the International Smelting and Refining superfund site *which contains a capped waste repository and is subject to land use restrictions.*

(Note: The site should also be identified as Pine Canyon Conservation Area as described above.)

6) Add the following italicized language to the bullet on Page 3-83 under “EPA National”

#### Priorities List:

International Smelting and Refining – The superfund site is located approximately 2 miles northeast of Tooele City and encompasses about 1,200 acres. Past copper smelting and lead-zinc recovery operations have resulted in the presence of arsenic, cadmium, copper, lead, mercury, and zinc in the soils, tailings, and slag. *There is a capped waste repository on-site and the site is subject to land use restrictions.* Seventeen residential properties have been cleaned up, due to high levels of lead. The site is now known as the Carr Fork Reclamation and WMA and is managed by the UDWR.

(Note: The site should also be identified as Pine Canyon Conservation Area as described above.)

7) In Table 4-7 Summary of Mitigation Measures and Impacts, for Alternatives D, E1, and E2, add “7” to the list in the box of “Selective Mitigation Measures” (in coordination with change in #4, above).

#### SF<sub>6</sub>

During scoping, EPA suggested that BLM address the proposed use of sulfur hexafluoride (SF<sub>6</sub>) in electrical equipment for the project and discuss efforts to reduce SF<sub>6</sub> emissions. We thank BLM for the information on proposed project SF<sub>6</sub> use in the DEIS and commend Rocky Mountain Power for being a member of EPA’s voluntary partnership to reduce SF<sub>6</sub> emissions. However, we recommend providing additional detail on specific mitigation measures to be employed to ensure complete documentation of SF<sub>6</sub> emission reduction efforts. This detail could be provided in a SF<sub>6</sub> Handling and Use Policy as an appendix to the FEIS.

#### Water Resources

The DEIS indicates that the Preferred Alternative will cross multiple perennial streams and small floodplains associated with ephemeral drainages. We are pleased to see that BLM intends to mitigate effects to surface water features by limiting the construction of roads in the vicinity of streams and spanning sensitive features. However, EPA believes additional detail on planned mitigation efforts is necessary to ensure adequate protection of water resources.

We recommend that BLM further specify where and how mitigation for water resource impacts will be implemented. This additional detail should include the criteria that will be used to determine where it will be necessary to limit road construction or span a sensitive area, as well as the means by which such avoidance will be accomplished. Because complete avoidance of water resources may not be possible, especially for access roads, additional mitigation measures should be identified for use in case of stream bank disturbance. These measures should include methods for sediment and erosion control.



## **U.S. Environmental Protection Agency Rating System for Draft Environmental Impact Statements**

### **Definitions and Follow-Up Action\***

#### **Environmental Impact of the Action**

**LO -- Lack of Objections:** The Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

**EC -- Environmental Concerns:** The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

**EO -- Environmental Objections:** The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

**EU -- Environmentally Unsatisfactory:** The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

#### **Adequacy of the Impact Statement**

**Category 1 -- Adequate:** EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

**Category 2 -- Insufficient Information:** The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new, reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

**Category 3 -- Inadequate:** EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

\* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment February, 1987.

